



Moldova

International Religious Freedom Report 2008

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The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. The Government registered two religious groups but continued to deny registration to others. In Transnistria, a separatist region not controlled by the Government, authorities generally respected the rights of registered groups but continued to deny registration to a number of minority religious groups and to harass their members.

According to members of Jehovah's Witnesses, many societal abuses based on religious affiliation, belief, or practice occurred, including in the separatist region of Transnistria.

The U.S. Embassy raised concerns at high levels of Government regarding the persistent registration difficulties faced by some religious groups. In February 2008 the U.S. Ambassador hosted a gathering for leaders of religious groups to support the expansion of religious freedom in the country.

Section I. Religious Demography

The country has an area of 13,000 square miles and a total population of 4.2 million, including 533,000 in the Transnistria region.

The predominant religion is Orthodox Christian. According to various estimates, more than 90 percent of the population nominally belongs to either of two Orthodox denominations, Moldovan or Bessarabian.

According to the Government, the Moldovan Orthodox Church (MOC), which is subordinate to the Russian Orthodox Church, has 1,281 parishes, monasteries, seminaries, and other entities; the Bessarabian Orthodox Church (BOC), subordinate to the Romanian Orthodox Church, has 309 such entities; and the Old Rite Russian Orthodox Church (Old Believers) has 15 parishes. There was no information on the number of parishes or followers of the True Orthodox Church of Moldova (also known as the Russian Orthodox Church Abroad).

Adherents of other religious groups, constituting less than 10 percent of the population, include Roman Catholics, Baptists, Pentecostals, Seventh-day Adventists, Muslims, Jehovah's Witnesses, Baha'is, Jews, followers of the Reverend Sun Myung Moon (the Unification Church), Molokans (a Russian group), Messianic Jews, Lutherans, Presbyterians, and other charismatic and evangelical Christian groups.

In Transnistria the largest religious organization is the MOC. Other groups include Roman Catholics, followers of Old Rite Orthodoxy, Baptists, Seventh-day Adventists, evangelical and charismatic Protestants, Jews, and Lutherans.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. A new law on religion, which went into effect on August 17, 2007, in theory simplifies registration procedures and allows religious groups easier access to public places to hold religious events. However, the law includes restrictions that at times inhibited the activities of some religious groups (see Restrictions).

The new law on religion, which took effect on August 17, 2007, affirms the role of the Orthodox Church in the country's history, simplifies registration procedures, and liberalizes the access of religious groups to public places, requiring only that the groups agree upon the place with local authorities in advance. All groups, whether registered or not, enjoy freedom to worship and reported having free access to public places for their activities. However, at the end of the period covered by this report, only one unregistered religious group, the Unification Church, obtained legal status through the new registration procedures. After responsibilities for religious registration were transferred from the State Services for Religious Affairs (SSRA) to the Ministry of Justice (MOJ) on October 23, 2007, three Muslim groups attempted to register but were unsuccessful.

In passing the new law on religion, Parliament did not address the Council of Europe's (COE) concerns, expressed in April 2007, that called for legislation to define clearly a group's right to register as a religious community and have access to remedy in the case of refusal. The COE also had urged Parliament to define clearly the right of registration, including full legal personality, of all religious communities, including those with fewer than 100 members. In addition, the COE had recommended that Parliament clarify the conditions under which the MOJ might request the courts to prohibit activities of certain religious communities.

Registration gives religious groups legal status that allows them to own property, open bank accounts, and hire employees. Individual churches or branches of registered religious organizations are not required to register with the MOJ as long as they do not carry out legal transactions and receive donations as local legal entities. The parent organization must exercise authority in those domains for unregistered local branches. Unregistered groups may not own property, obtain construction permits for churches or seminaries, open bank accounts, hire employees, or obtain space in public cemeteries in their own names.

The procedures for registering a religious organization are the same for all groups. A religious organization must present to the MOJ a declaration of its exact name, fundamental principles of belief, organizational structure, scope of activities, sources of finance, and rights and obligations of membership. The MOJ is required by law to register the religious organization within 15 days, provided that the registration request is made according to the law. At the request of the MOJ, a court can suspend for 12 months the registered status of a religious organization if it "carries out activities that harm the Constitution or laws" or "affects state security, public order, [or] the life and security of the people."

The new law gives freedom to local religious communities to change their denominational affiliation or dissolve themselves. All religious groups are allowed to hold services at state facilities, including orphanages, hospitals, schools, and military and police institutions, upon request from persons in such institutions and provided they get the approval of the institution's administration.

The new law permits missionaries to sign work contracts with religious organizations, which in theory should ease the process to obtain residency permits. The new law does not require such work contracts; however, the Bureau for Migration and Asylum (a part of the Ministry of Interior), in charge of temporary residency permits, required religious groups to issue work contracts to missionary employees that indicate their salaries, even when missionaries donate their services or are sponsored and paid by overseas churches. By requiring work permits, the Bureau for Migration and Asylum and the National Agency for the Occupation of the Workforce, which grants the work permits, in effect did not allow foreigners to work as unpaid volunteers.

Religious freedom rights enshrined in the previous religion law are preserved in the new law: It guarantees freedom of conscience and religion, permits alternative service for conscientious objectors to military duties, protects the confidentiality of statements made to a priest in the confessional, and allows denominations to establish associations and foundations.

Additions to the new law that could be used to restrict religious freedom include the following: the requirement of at least 100 citizen founders to register a religious organization; a more detailed definition of "abusive proselytism" (including "psychological manipulation or a variety of subliminal techniques"); and the recognition by the state of the "exceptional importance and fundamental role of the Christian Orthodox religion, particularly that of the Moldovan Orthodox Church, in the life, history, and culture of the people of the Republic of Moldova."

Moldovan law provides for conscientious objection to military service; however, Transnistrian law has no provisions for alternative service. According to Article 325 of the Transnistrian Criminal Code, those who avoid or evade military service may be sentenced to fines from \$527 to \$1,275 (4,427 to 10,710 rubles) or imprisonment for up to 2 years.

There is no state religion; however, the MOC receives favored treatment from the Government. The Metropolitan of Chisinau and all Moldova holds a diplomatic passport. The Metropolitan participates as the sole religious figure in some national celebrations and appears regularly on the front pages of newspapers that support the Government. Progovernment television channels regularly show visits of high government officials to MOC churches and monasteries.

Foreign missionaries may remain in the country for 90 days on a tourist visa. Foreign religious workers must register with, and receive documentation from, the National Agency for the Occupation of the Work Force, the Bureau for Migration and Asylum, and the Ministry of Informational Development.

According to the law on education, "moral and spiritual instruction" is mandatory for primary school students and optional for secondary school and university students. Some schools offer religion courses, but enrollment depends on parental request and the availability of funds.

Two public schools and a kindergarten are open only to Jewish students; in Chisinau one kindergarten has a special "Jewish group"; however, Jewish students are not restricted to these schools.

Restrictions on Religious Freedom

The Government continued to deny registration to some groups. The Pentecostal Church complained that registration requests for new congregations were hindered by MOJ insistence that all the local church founders sign the request, even though the founders had already signed the incorporation papers and designated a single representative to sign the registration request.

On February 7, 2008, the Chisinau Appeals Court ruled in favor of 15 BOC parishes from Ungheni who had sued the SSRA for denying them registration. The court considered groundless the MOJ's refusal of registration and requested that the MOJ register the parishes. The MOJ did not comply and challenged the decision through an appeal to the Supreme Court of Justice. At the end of the reporting period, no further developments were reported.

On November 30, 2007, President Voronin condemned the decision by the Romanian Orthodox Church, of which the Bessarabian Metropolitanate is a part, to reactivate three dioceses in the country to add to the one existing diocese based in Chisinau. Voronin stated that he did not want conflict in the country and threatened to revoke the registration of the BOC. On December 1, 2007, on the progovernment television channel NIT, Voronin stated that the Government would "withdraw" from the 2001 European Court of Human Rights (ECHR) ruling that led to the 2002 registration of the BOC if the BOC insisted on registering new parishes. Speaking in Brussels on January 14, 2008, Voronin denied that he had threatened to revoke the BOC's registration, but he also claimed that its existence could lead to conflict.

In Transnistria only 2 of more than 30 Jehovah's Witnesses' congregations--those in Tiraspol and Ribnita--had legal status at the end of the reporting period. The Religious Affairs commissioner in Tiraspol refused to approve applications of the other communities or pass them on to the Transnistrian Justice Ministry, the next step in the registration process. The commissioner also failed to comply with a July 2007 Transnistrian Supreme Court judgment to "accredit" the local Jehovah's Witnesses leader, which Transnistrian authorities declared was necessary before persons could lead a religious organization. In addition, the commissioner

failed to answer an October 2007 order from the court bailiff to accredit the leader.

The two registered communities of Jehovah's Witnesses in Transnistria had difficulties operating due to opposition from local authorities, who continued to challenge the 1994 registration of the Tiraspol community. Local authorities sought to cancel the fiscal code (necessary for financial transactions) for Jehovah's Witnesses, confiscated religious literature and the registration certificate of the group in Ribnita, and interfered with a memorial celebration in the village of Parcani. Court victories won by Jehovah's Witnesses were regularly overturned and new trials ordered.

Transnistrian authorities continued to prosecute members of Jehovah's Witnesses for their conscientious objection to military service. On December 18, 2007, Nicolai Procopciuc was notified to report to the Bender City military commissioner to have a physical examination for military service. He responded that he could not serve in the armed forces because of his religious convictions and requested exemption from military service. On February 22, 2008, the Military Prosecutor's Office summoned Procopciuc for questioning and on March 6 charged him with violation of the law. On May 20, the military prosecutor denied his request because he had been tried in 2004 on the same charges. At the end of the reporting period, no further developments had been reported.

Religious communities, especially Protestants, complained of cumbersome bureaucratic procedures to obtain permission for foreign citizens to live and conduct religious work in the country. Applicants must have a total of 16 documents, including a medical certificate, a certificate confirming they have not committed crimes in their home country, a blood test stating that they are free of AIDS, and evidence of insurance. They then must apply to the National Agency for the Occupation of the Workforce for a work permit. That permit, if approved, is presented to the Interior Ministry's Department of Migration and Refugees in order to receive the migration certificate. If the application is approved, the applicant must present the work permit and the migration certificate to the Ministry of Informational Development, which issues the residence permit, with a validity not exceeding 1 year. Only registered religious organizations may apply for such permission. When extending the residency permit validity, the same procedure must be followed, but with the additional requirement of presenting a criminal record certificate confirming that the applicant has not committed crimes in the country during previous stays. Jehovah's Witnesses reported that in February 2008, 12 missionaries were issued work and residence permits, while several were refused. On March 13, 2008, Jehovah's Witnesses filed a complaint with the Chisinau Appeals Court, which on April 21 ordered the authorities to issue the work permits.

On March 21, 2008, a member of Jehovah's Witnesses was questioned at the Transnistrian Department for Fighting Economic Crimes in Parcani. The chief of the department asked him about the nature of the meeting that was to be held on March 22, 2008, (the annual memorial of Jesus Christ's death) and advised him to cancel the meeting. On the day of the meeting, an estimated 40 demonstrators, gathered near the individual's house, holding signs that criticized Jehovah's Witnesses as a dangerous sect. On March 23, 2008, representatives of Jehovah's Witnesses were summoned to appear before the Bender police commissioner for failure to register a religious community with government agencies and for holding meetings with believers in Parcani. On May 8, 2008, the Bender City Court annulled the action and found the Jehovah's Witnesses innocent of any violation of the law.

In January 2008 four Romanian BOC priests were expelled for not having work permits. On January 8, 2008, a group led by priests carrying religious banners and icons walked from Cahul to Giurgiulesti (25 miles) to protest the expulsion. Eight participants were accused of holding an illegal demonstration but were acquitted by Cahul Town Court on January 17. On January 24, the head of the district police lodged an appeal against the acquittal. According to the demonstrators' lawyer, the court rejected all appeals and acquitted the demonstrators.

In mid-December 2007, the pastor of the registered Pentecostal Church in Tiraspol cancelled worship services after being warned by the Transnistrian prosecutor that worship in a building designed as a private home was illegal.

Transnistrian authorities continued to use a textbook at all school levels containing negative and defamatory allegations regarding Jehovah's Witnesses.

On October 13, 2007, Transnistrian border guards confiscated 286 copies of the Russian-language magazine *Herald of Truth* and 6 copies of the Romanian-language book *Children's Friend* from the leader of the unregistered 200-member Council of Churches Baptist congregation in Bender. However, Baptists reported that after appeals to various agencies, authorities returned the magazines on December 1, 2007.

Transnistrian officials told Jehovah's Witnesses that without fiscal registration they are not allowed to import literature. On September 17, 2007, ten magazines were seized from two Jehovah's Witnesses preaching on the street in the village of Krasnogorka. On October 14, 2007, a Jehovah's Witness had 8 copies of the Bible and 243 copies of the magazine *Watchtower* confiscated at the Varnitsa checkpoint.

On August 27, 2007, the Jehovah's Witnesses community received a notice from the Ribnita city administration that their place of worship had been built without authorization and without the land being properly allocated. Jehovah's Witnesses representatives explained that the building was licensed in 1997 and completed in 2000; however, its request for an occupancy permit, submitted in 2001, had received no response from the authorities. The city administration also demanded presentation of the building permit and land allocation documentation. At the end of the reporting period, there was no resolution of the case.

In February 2007 Jehovah's Witnesses purchased property in the city of Codru and on March 1, 2007, submitted a request for a design certificate. After a series of court trials, on October 18, 2007, the mayor of Codru issued a building permit for the project. However, on February 29, 2008, the Chisinau Municipal Court annulled the building permit and urban planning certificate and prohibited the building of a house of worship on the property, claiming that the size of the lot was insufficient for such a building. On May 20, 2008, the Chisinau Appeals Court rejected the appeal of the religious group.

In November 2006 Jehovah's Witnesses obtained property in the village of Mereni with the intention of constructing a place of worship. In January 2007 they submitted an application to the mayor of Mereni for approval to draw up design plans for the building. On January 30, 2007, the Mereni Village Council rejected the application without specifying a reason. After a series of trials, on January 29, 2008, the Bender Court of Appeals ordered city officials to issue an urban planning certificate for the construction of a house of worship. On March 6, 2008, Jehovah's Witnesses representatives submitted a request that the court's judgment be enforced. At the end of the reporting period, no progress was reported.

Property disputes between the MOC and BOC remained unresolved. Although the law provides for restitution of property confiscated during successive fascist and Soviet regimes to politically repressed or exiled persons, the provision does not apply to religious organizations. Local authorities can make arrangements with local parishes to return church properties; however, in practice these arrangements almost always benefit the MOC. Partly because the Government continued to refuse to return archives to the BOC that were confiscated during the Soviet years (1945-91), the BOC was unable to give an exact count of the churches that they could claim as former BOC properties.

At the end of the reporting period, the ECHR had not ruled on the Government's 2001 decision to make the MOC the successor to the pre-World War II Romanian Orthodox Church for purposes of all property ownership. The BOC complained that its access to documents proving its right to numerous properties was blocked. Likewise, the ECHR had made no decision regarding the October 2006 Floresti BOC parish petition regarding the ownership of a church that the MOC claimed as its property.

The Lutheran Church claimed properties, most of which were destroyed in World War II. For example, a 400-seat Lutheran church, on the site occupied by the Presidency in Chisinau, was destroyed by the Soviets in the early 1960s. Government authorities used legal arguments to deny the claim by Lutheran officials and stated that properties would not be returned because there were not enough congregants to support their use.

Abuses of Religious Freedom

On November 30, 2007, Mihai Beiu, mayor of the village of Gvozdova, assaulted Jehovah's Witnesses Victor Patra^ocu and Gheorghe Ciobanu. Beiu declared that he, the local Orthodox priest, and the residents did not want Jehovah's Witnesses speaking about their religion in the village. He further threatened them with violence if they did not stop their activity.

On November 17, 2007, Stepan Sarbu, mayor of the village of Taraclia, assaulted Jehovah's Witnesses Zinaida Tabacari and Ana Verenjac. Sarbu forbade them to talk to local residents about their faith and threatened to gather a mob to assault them.

On September 29, 2007, Ilie Bulduratu, mayor of Susleni, assaulted Jehovah's Witnesses Andrei Negru and Ion Perlog and threatened them with death if they were to return to the village and speak to others about their religion.

The BOC and the Kyiv Patriarchate of the Ukrainian Orthodox Church both reported police checks of congregants at religious services and of religious leaders in their offices. Church officials stated that police claimed to be looking for illegal immigrants. The bishop of the Kyiv Patriarchate stated that in early January 2008 authorities threatened to open a criminal case against him, accusing him of taking donations made to his Church for his personal gain.

On December 26, 2007, BOC Metropolitan Petru Paduraru, who holds a Romanian diplomatic passport, was held for 2 hours at a land border crossing from Romania, searched, and asked to sign a statement that he was carrying no drugs.

Following President Voronin's December 2007 criticisms of the BOC, the BOC reported that soon afterward, police or security officers visited most of its priests at home or in church and warned them that they could be punished for "Romanian heresies." Authorities also told BOC priests that leaving the BOC for the MOC would bring many advantages.

Police continued occasionally to check the identities of Muslim worshippers leaving Friday prayers, most recently in October 2007, according to the Tatar community organization Tugan Tel.

The pastor of the Full Gospel Church of Christ the Savior, registered in 1995, complained of constant checks of documents and worshippers by Transnistrian authorities.

On December 4, 2007, Transnistrian authorities fined an independent Baptist pastor \$6.60 (55 Transnistrian rubles) for refusing to allow court executors into his home to seize property to pay previous fines levied for his failure to register his church.

On October 8, 2007, Transnistrian State Security Ministry officers arrested several members of the Protestant New Life Mission as they were preparing to distribute copies of a Christian magazine outside Tiraspol's Shevchenko University. Officials seized 800 copies of the magazine and confiscated the car of the New Life Mission leader, who was later fined \$139 (1,167 Transnistrian rubles) for bringing contraband literature into the area. On October 17, officials returned the car but refused to return the magazines.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

On May 15, 2008, the Government registered the Unification Church. On August 16, 2007, the Government registered the Church of the True Orthodox, also known as the Russian Church Abroad.

On January 10, 2008, the decision of the Balti Court of Appeals to register the Domulgeni branch of Jehovah's Witnesses was enforced, ending a legal struggle in which local officials had refused to register the group.

Section III. Societal Abuses and Discrimination

On December 3, 2007, Toma Lungu, the Orthodox priest in the village of Puhaceni, shoved Jehovah's Witnesses Sergiu Pavalache and Petru Ipate in the street. He then insulted the two and threatened them with violence if they did not leave the village and stop talking to residents about their religion.

On November 9, 2007, Mihail Ciobanu, the Orthodox priest in the village of Carpesti, verbally attacked Jehovah's Witnesses Timotei and Natalia Onofrei. Ciobanu threatened them with violence, told them to produce authorization to carry out their activities, and warned them to leave the village or face a mob that would be gathered to oppose them.

On September 27, 2007, Vitalie Zicu, the Orthodox priest in the village of Ustia, verbally attacked Jehovah's Witnesses Natalia Roscovan and Olesea Baltag, insulting them and threatening them with violence if they did not stop their activities and leave the village.

On September 20, 2007, Petru Oltu, the Orthodox priest in the village of Harbovet, assaulted Jehovah's Witnesses Iulia Vizii and Aliona Raiu. He threatened them with violence and death because of their speaking about their religion and forcibly brought them to the mayor's office.

The dispute between the Moldovan and the Bessarabian Orthodox Churches continued.

Section IV. U.S. Government Policy

The U.S. Embassy raised concerns at the highest levels of the Government regarding the persistent registration difficulties of some religious groups and requested that registration procedures be clarified and simplified.

In February 2008 the U.S. Ambassador held a second annual reception in honor of religious freedom, hosting representatives of 11 registered and unregistered religious organizations, including the MOC, BOC, Old Rite Russian Orthodox Church, and Ukrainian Orthodox Church. In contrast to the first such event, held in January 2007, no government representative attended. The Ambassador encouraged participants to continue their efforts to promote religious freedom and harmony.

In December 2007 the Ambassador hosted a conference to assist local organizations with their social programs. Participants received assistance in developing partnerships with congregations, churches, and synagogues in the United States and learned about applying for funding from the U.S. Government, other bilateral donors, foundations, and the private sector.

On other occasions the Ambassador met with leaders of the major religious organizations, including the MOC, BOC, the Church of Jesus Christ of Latter-day Saints (Mormons), the Baha'i Faith, Protestant groups, and the Jewish community. Embassy representatives continued to support the registration and residency of foreign religious workers throughout the country.

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